

“(1) the recovery rate for beverage containers during the year covered by the report; and

“(2) the extent to which beverage container collection is proceeding in accordance with this subtitle.

**“SEC. 12010. PENALTIES.**

“Notwithstanding any other provision of this Act—

“(1) a person that violates any provision of this subtitle (other than section 12004(f)) shall be subject to a civil penalty of not more than \$1,000 for each violation; and

“(2) a person that violates section 12004(f) shall be subject to a civil penalty of not more than \$10,000 for each violation.”.

(b) CONFORMING AMENDMENT.—The table of contents for the Solid Waste Disposal Act (42 U.S.C. prec. 6901) is amended by adding at the end the following:

“Subtitle K—Beverage Container Reuse and Recycling

“Sec. 12001. Definitions.

“Sec. 12002. Responsibilities of brand owners.

“Sec. 12003. Beverage container labeling.

“Sec. 12004. Management plans.

“Sec. 12005. Deposit and refund.

“Sec. 12006. Refund value.

“Sec. 12007. Recovery rates.

“Sec. 12008. Other management requirements.

“Sec. 12009. Report by Administrator.

“Sec. 12010. Penalties.”.

By Mr. ROCKEFELLER (for himself and Mr. SMITH of Oregon):

S. 2221. A bill to temporarily increase the Federal medical assistance percentage for the medicaid program; to the Committee on Finance.

Mr. SMITH of Oregon. Mr. President, I rise today to talk about a vital federal program that is an essential part of our health care safety net—Medicaid. Last year, the Medicaid program provided health coverage for 44 million of the most vulnerable Americans—22.6 million children, 9.2 million adults in low-income families, and 12 million elderly and disabled. One in four American children are covered by this important program.

Yet despite the program's importance, states around the country are struggling to fund their share of their Medicaid programs. Going into legislative session this year, my home state of Oregon faced a budget shortfall of nearly \$800 million, and most other states are facing similar conditions. The cruel irony of this situation is that just as state revenues have dropped due to poor economic conditions, many more families are turning to Medicaid as their only source of health care. I know that in Oregon, the number of people on Medicaid has risen by 10% since June of last year, and I suspect that many of your states have experienced similar increases. Additionally, because of scheduled formula adjustments, many states will see their existing Medicaid payments from the Federal government fall this year.

It is not a mystery what will happen if we do not act: states will be forced to cut their Medicaid programs and more Americans will lose their health coverage. The number of uninsured people in this country will rise dramatically.

Last year, more than 40 million Americans lived and worked without health insurance, and it is estimated that the economic downturn will add another 4 million to the ranks of the uninsured.

This legislation would allow states to continue providing health care to our society's most vulnerable members in this economic downturn by providing a temporary increase in the Federal Medical Assistance Program, FMAP, funds states receive to pay their portion of the Medicaid bill. This legislation would hold states harmless at their 2003 FMAP levels so that no state will experience a decrease in Federal funds for Medicaid, while providing all states with an additional temporary 1.5 percentage in their matching rates for three years. It would also target assistance to the most needy states by providing another 1.5 percentage point increase in their FMAP for three years.

The goal of this bill is to prevent erosion of health insurance coverage and to maintain a strong health care safety net for vulnerable people during the economic downturn. By temporarily increasing the Federal portion of the Medicaid bill, the scope and depth of possible state budget cuts or tax increases will be lessened, minimizing the potential negative impact on the economy and our most vulnerable citizens across the country. It is the right thing to do, and the right time to do it.

#### STATEMENTS ON SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 247—EXPRESSING SOLIDARITY WITH ISRAEL IN ITS FIGHT AGAINST TERRORISM

Mr. LIEBERMAN (for himself, Mr. SMITH of Oregon, Mr. DASCHLE, Mr. CLELAND, and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

#### S. RES. 247

Whereas the United States and Israel are now engaged in a common struggle against terrorism and are on the frontlines of a conflict thrust upon them against their will;

Whereas President George W. Bush declared on November 21, 2001, “We fight the terrorists and we fight all of those who give them aid. America has a message for the nations of the world: If you harbor terrorists, you are terrorists. If you train or arm a terrorist, you are a terrorist. If you feed a terrorist or fund a terrorist, you are a terrorist, and you will be held accountable by the United States and our friends.”; and

Whereas the United States has committed to provide resources to states on the front-line in the war against terrorism: Now, therefore, be it

*Resolved*, That the Senate—

(1) stands in solidarity with Israel, a front-line state in the war against terrorism, as it takes necessary steps to provide security to its people by dismantling the terrorist infrastructure in the Palestinian areas;

(2) remains committed to Israel's right to self-defense;

(3) will continue to assist Israel in strengthening its homeland defenses;

(4) condemns Palestinian suicide bombings;

(5) demands that the Palestinian Authority fulfill its commitment to dismantle the terrorist infrastructure in the Palestinian areas;

(6) urges all Arab states, particularly the United States' allies, Egypt and Saudi Arabia, to declare their unqualified opposition to all forms of terrorism, particularly suicide bombing, and to act in concert with the United States to stop the violence; and

(7) urges all parties in the region to pursue vigorously efforts to establish a just, lasting, and comprehensive peace in the Middle East.

Mr. LIEBERMAN. Mr. President, I have submitted a resolution today, along with Senator SMITH of Oregon, Senator DASCHLE, our majority leader, and we are currently in the process of communicating with the Republican leader. I hope Senator LOTT will become the fourth initial cosponsor of this resolution which expresses the solidarity of Congress—Senate and House—with the State of Israel in its fight against terrorism.

The painful events of September 11 have taught us Americans a powerful lesson: When innocent people are attacked, we have no choice but to capture or kill those killers and dismantle their terrorist infrastructure. That is the first step in reducing the likelihood of future attacks and making clear through our actions—not just our words—that violence against innocents will never be tolerated.

Now we see Israel under siege by a systematic and deliberate campaign of suicide-homicide attacks whose essence is identical to the attacks on our country on September 11. Those suicide bombers striking innocent Israelis in supermarkets, pizza restaurants, buses, and schools are cut from the same cloth of fanatical, inhumane hatred as those terrorists who turned airplanes into weapons of mass destruction and killed more than 3,000 Americans on September 11.

God knows that we have not always been astute enough to learn from history, but when the history of September 11 is this fresh in our minds and in our hearts, and the lessons are as clear and compelling as the lessons of September 11 were, let us not fail to apply those lessons. Let us not waver, let us not blur our vision or our values, particularly in this case when the victims of the country are citizens of a fellow democracy and a great ally, which is to say the State of Israel.

Instead, let us recall the principled message of President Bush in his address to Congress less than 7 months ago: Terrorism is evil. It is not an acceptable form of political action. It is a crime that runs contrary to our most basic human values. Nations that support it, condone it, or enable it are our enemies, and nations that dismantle its immoral, inhuman machinery and go after its perpetrators to protect innocent lives of their citizens are doing freedom's work and they are our allies.

In laying out this doctrine, President Bush actually echoed the words that

President Franklin Roosevelt spoke in 1940 when he said:

No man can tame a tiger into a kitten by stroking it. There can be no appeasement with ruthlessness. There can be no reasoning with an incendiary bomb.

The United States supports a peaceful Palestine along a secure Israel, as, for that matter, does Israel herself. We support a two-state solution. In other words, we support what we hope and pray is still the cause of the vast majority of the Palestinian people. But there is a danger that these suicide bombers operating out of Palestinian territory have hijacked the legitimate cause of Palestinian statehood. These homicide bombers do not represent what we hope is the aspiration of a majority of the Palestinian people for statehood, for a better life for themselves and their children.

These homicide bombers—terrorists—insult that cause and undermine their own people's desire to live a better life. They represent a morally bankrupt and tactically suicide policy. Their militancy will only deepen the misery of the Palestinian people.

Ultimately, in supporting Israel's right to protect and defend itself, we are also supporting our own war against terrorism because if we lose our bearings and muddy the moral clarity with which we began and are carrying out our campaign against terror, we risk undermining the fight against al-Qaida and other international terrorist groups that threaten our own people. We cannot allow that.

The United States, acting in concert with Israel and our allies in the Arab world, and hopefully our allies in the rest of the world, including Europe and Asia, can still bring security to the region. It can still happen if mainstream, moderate leaders in the Arab world will not accommodate themselves out of fear or insecurity to the threats of the fanatical elements within the region but will stand up with our strong support and assert that the only way to achieve a better future for the Palestinian people and, in fact, for all the people in the Middle East, is to come together for the good people, to come together behind the rule of law against fanaticism, against solving problems with violence, for more human rights, for more democracy, for the kind of open economies that allow people to raise up their standard of living and deprive terrorists of the conditions they exploit for violent and suicidal purposes. Together, we can bring such a result to the region.

This week, President Bush has two very important meetings: One with King Mohamed VI of Morocco, the other with Crown Prince Abdullah of Saudi Arabia. These are opportunities not only to develop the hopes expressed in the Saudi peace proposal for mutual recognition of Israel by the Arab world, but to make clear to our allies in the Arab world and countries like Saudi Arabia and Morocco how critically important their own moral clarity in this

moment of crisis is; that we need them to stand with us for a peaceful path to Palestinian statehood and a better life for all the people of their region.

Ultimately, that only comes with more human rights for their citizens and a more open economic society with more opportunity. Together we can create conditions for a just and lasting peace, a peaceful and sovereign Palestine alongside a peaceful and secure Israel. It is time for the humane, law-abiding forces within the Middle East and those outside to come together and defeat the cancer of terrorism that now eats away at that region and the world.

The United States must stand with our ally, Israel, sharing values and hopes for peace as we do, as she attempts to defeat and protect her citizens from acts of terrorism. That is the message we send with the resolution we are submitting today. I hope an overwhelming majority of my colleagues will join Senator SMITH and me, Senator DASCHLE and, I hope, Senator LOTT, in cosponsoring this resolution.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3177. Mr. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table.

SA 3178. Mr. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3179. Mr. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3180. Mr. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3181. Mr. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3182. Mr. KYL (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3183. Mr. ROBERTS submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3184. Mr. KYL submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3185. Mr. KYL submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3186. Mr. HAGEL submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3187. Mr. BYRD (for himself and Mr. JEFFORDS) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3188. Mr. GRAHAM (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3189. Mr. TORRICELLI (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3190. Mr. TORRICELLI (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3191. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3192. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3193. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3194. Ms. LANDRIEU (for herself and Mr. DOMENICI) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3195. Mr. HARKIN (for himself, Mr. COCHRAN, Mr. GRASSLEY, and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3196. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3197. Mr. CARPER (for himself, Ms. COLLINS, Mr. LEVIN, Ms. LANDRIEU, Ms. STABENOW, and Mr. JEFFORDS) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3198. Mr. CARPER (for himself, Mr. SPECTER, and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 3199. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2917